



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2011-184 (JME)

NOTICE DATE:
May 2, 2011

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
May 31, 2011

Public Notice

U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT:

Mr. James R. Richardson
Port of Memphis
1115 Riverside Boulevard
Memphis, Tennessee 38106-2504
(901) 948-4422

AGENT:

Mr. Danny L. Adams
EnSafe Inc.
5724 Summer Trees Drive
Memphis, Tennessee 38134
(901) 372-7962

PURPOSE: The purpose of the project is to prepare an approximate 586-parcel of property within the Frank C. Pidgeon Industrial Park for the construction of the Electrolux manufacturing facility.

LOCATION: The project is located within the Frank C. Pidgeon Industrial Park west of Riverport Road with approximate coordinates of N35.033° / W-90.164° in Memphis, Shelby County, Tennessee. The attached location map indicates the site based on a portion of the Fletcher Lake, Tennessee, 7.5-minute USGS topographic quadrangle (Figure 1).

DESCRIPTION OF WORK: The project would consist of grading and leveling the site to prepare for the construction of a major manufacturing facility (Electrolux) and the installation of supporting infrastructure. The facility would be located on the northern and central portions of the site and additional facilities are planned for the southern portion of the site. Infrastructure features would include utility services, roads, vehicle access points, and storm water management components. Plans depicting the proposed work are shown on Figures 2A and 2B.

The proposed project would permanently impact 1.036 acres of wetlands. Wetlands which would be impacted with the project are identified as Wetland 1 and Wetland 2 as shown on Figure 3. Wetland 1 is a scrub/shrub wetland in a depressional area composed primarily of black willow, box elder, green ash and button bush. Wetland 2 is composed of herbaceous species and is located in a small depressional area within an agricultural field. The deposition of fill material into waters of the U.S., including wetlands, requires authorization from the U.S. Army Corps of Engineers. It is our approved jurisdictional determination that the two wetlands on the project site are jurisdictional.

AVOIDANCE/MINIMIZATION: According to the applicant, it was determined that the footprint of the project could not be situated in a way to avoid impacts to the wetlands while completing project objectives. The wetlands on the site are centrally located.

MITIGATION: The applicant proposes to mitigate wetland losses by restoration of 2.072 acres of bottomland hardwoods off site. The mitigation site is located north of the Wolf River, south of Raleigh LaGrange Road and east of Bethany Road in Shelby County as shown on Figure 4.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area. A

preliminary search of in-house records indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and notify this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. Mitch Elcan using the information below:

U.S. Army Engineer District - Memphis
ATTN: Mitch Elcan
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894

e-mail: james.m.elcan@usace.army.mil
phone: (901) 544-0737
fax: (901) 544-0211

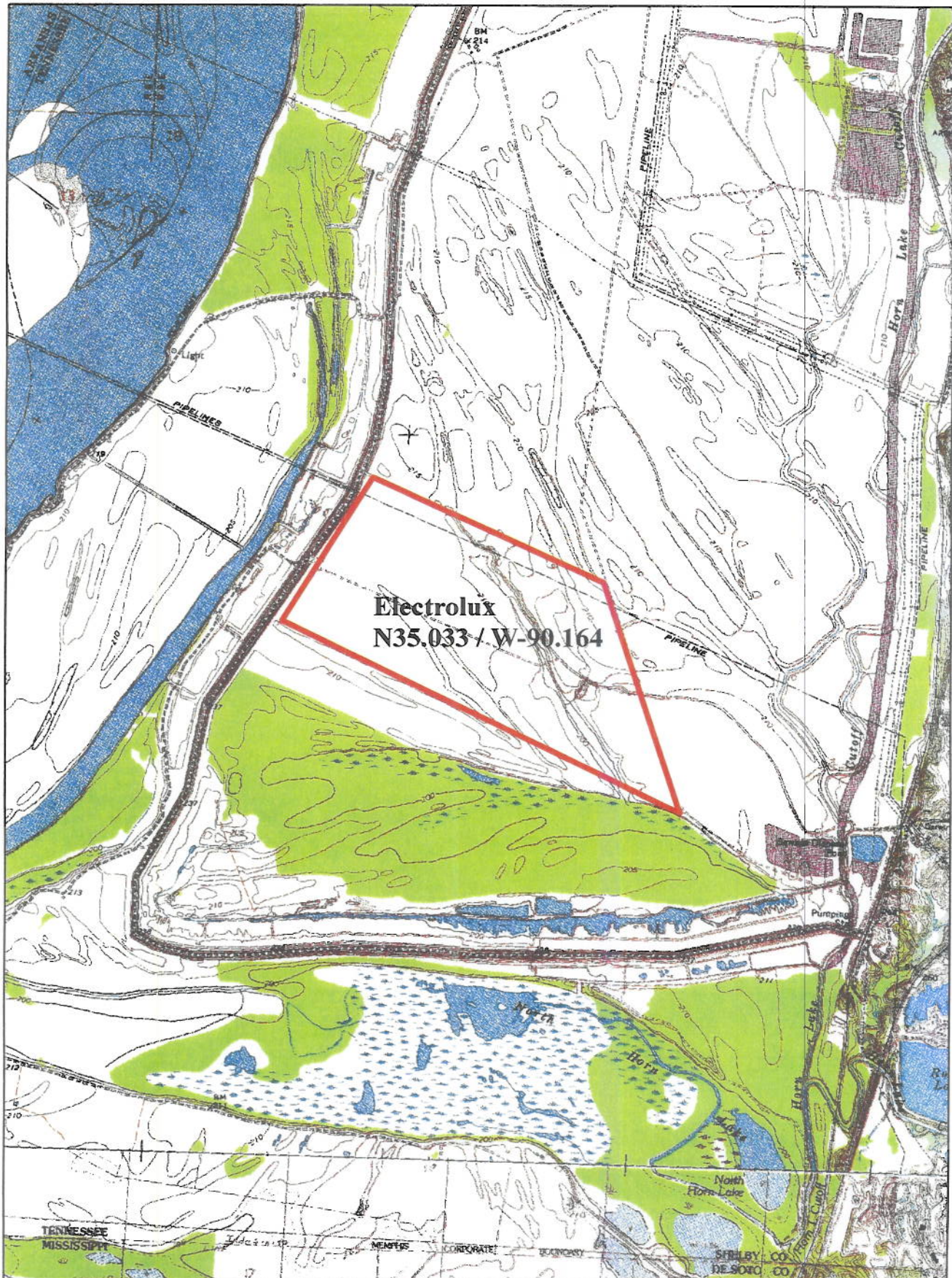
Comments may be sent via mail or e-mail. The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.



Timothy L. Davis
Acting Chief
Regulatory Branch

Attachments

Figure 1.
MVM-2011-184
Section 404 Permit Application
Memphis, Shelby Co., Tennessee



FLETCHER LAKE, TENN.-ARK.

SW/4 MEMPHIS 15' QUADRANGLE
N3500—W9007.5/7.5

0 0.15 0.3 0.6 0.9 1.2
Miles

TENNESSEE
QUADRANGLE LOCATION

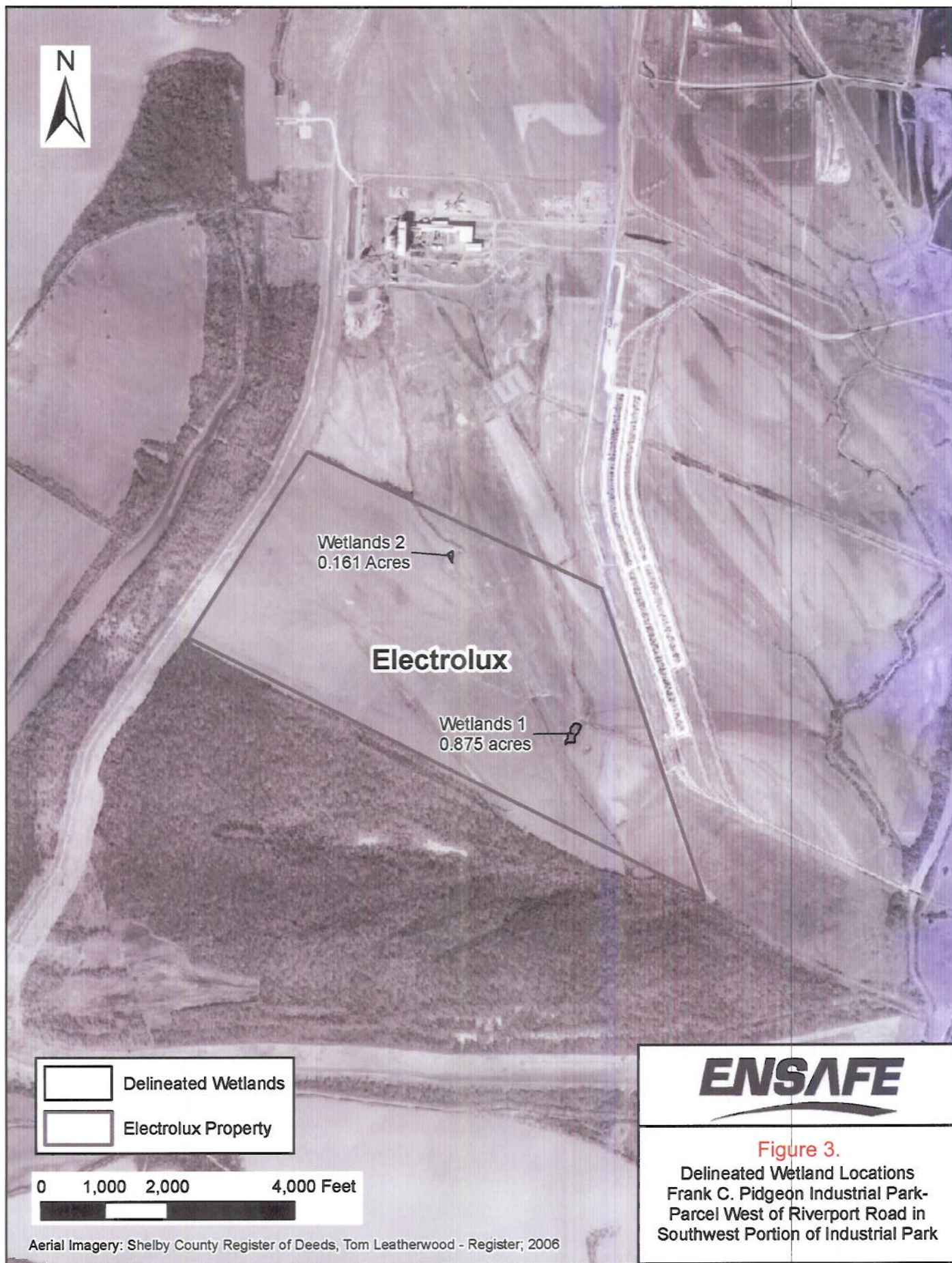


Figure 2A.

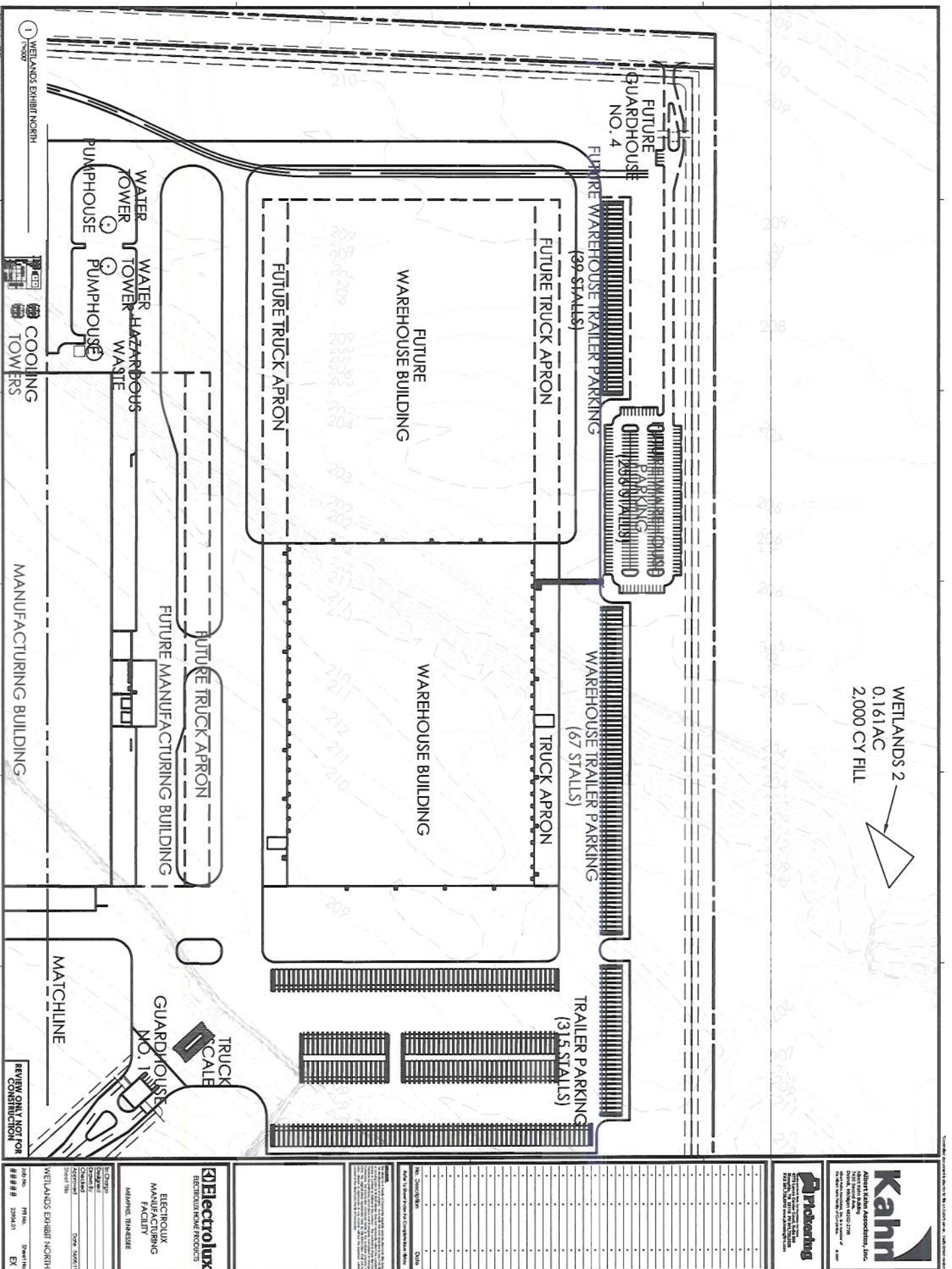
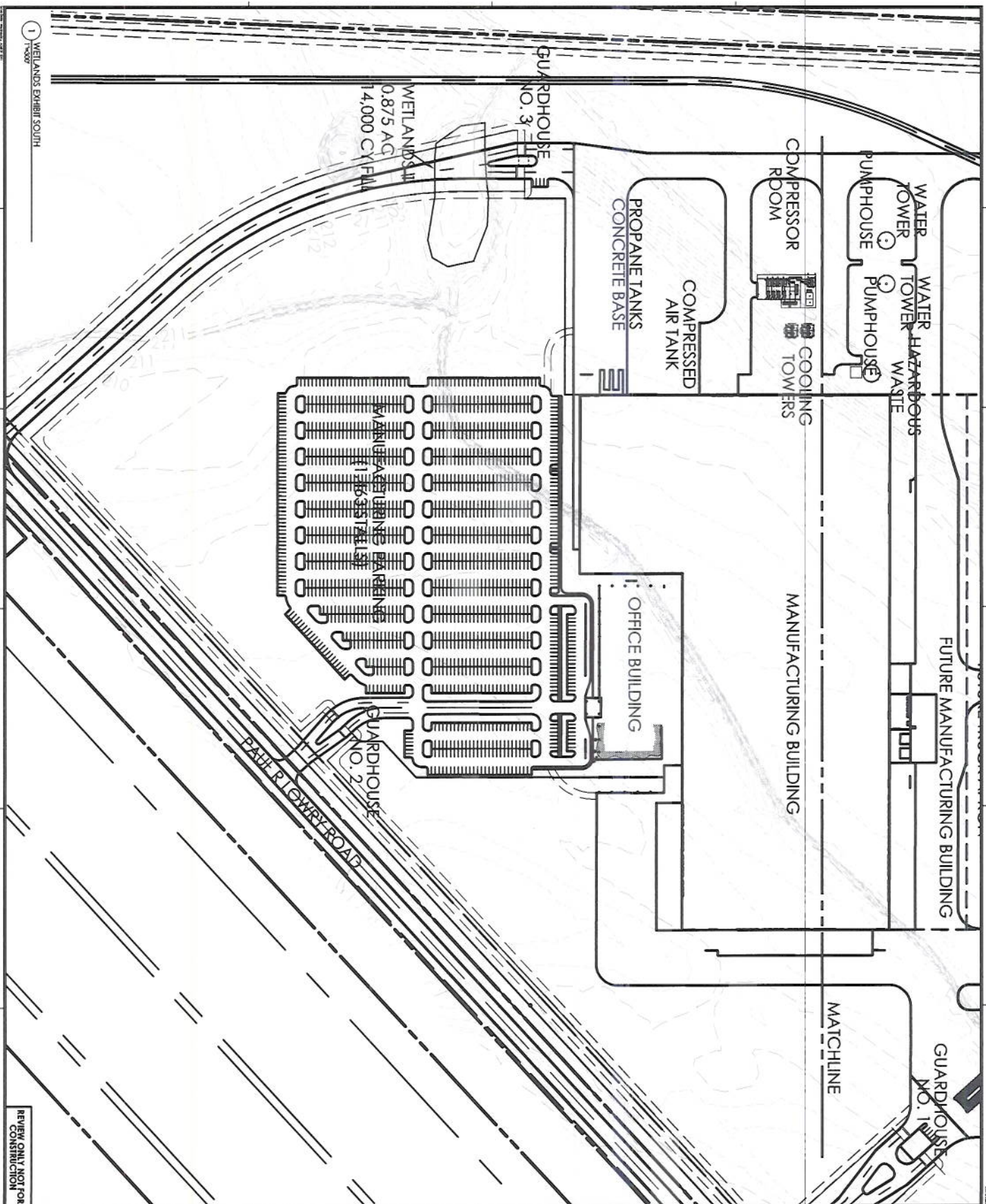


Figure 2B.



Kahn
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Job No. 191 No. 22904-01 Sheet No. EX 2

